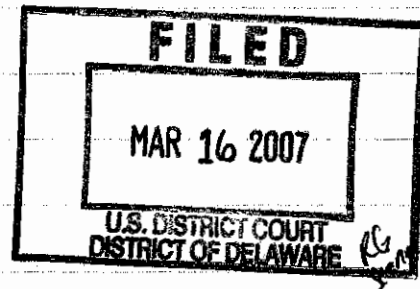


3-12-07

TO: CLERK OF THE COURT
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE
844 King St. - Lock Box 18
Wilmington, DE. 19801

From: William J. Hammons
#166139
DEL. CORR. CTR.
1181 Paddock Rd.
Smyrna, DE. 19977



RE: Request For Filing OF Default, 05-718 (KAJ)

DEAR MR. DALLEO,

ON December 2nd, 2005, Judge Jordan ORDER THE RESPONDENTS TO ANSWER THE CLAIMS SET FORTH IN my HABEAS petition. They were given 45 days TO RESPOND. SINCE THEY COULD NOT MAKE THAT DEADLINE, Judge JORDAN granted AN EXTENSION OF TIME and ORDERED THAT THEY RESPOND BY February 10th, 2006. (SEE BOTH ORDERS ENCLOSED).

THE STATES RESPONSE WAS docketed ON February 2nd, 2006 (Docket Item # 17) (Rule # 5 28 USC 2254)

IN CLAIM THREE OF my petition I ARGUED LEGAL INNOCENCE, FACTUAL INNOCENCE, and

INSUFFICIENT EVIDENCE TO SUSTAIN A CONVICTION.
THE RESPONDENTS NEVER ADDRESSED THE LEGAL
INNOCENCE CLAIM OR THE INSUFFICIENT EVIDENCE CLAIM
NOR DID THEY RESPOND TO THE MERITS OF THE
FACTUAL INNOCENCE CLAIM. (SEE RULE[#] 5, 28 USC 2254).

BECAUSE OF THE RESPONDENTS FAILURE TO RESPOND
TO THESE CLAIMS, I AM OFFICIALLY REQUESTING
THAT YOU FILE A DEFAULT ON THESE CLAIMS
PURSUANT TO RULES 55 AND 56 OF THE
F.R.C.P. (FED. RULES OF CIV. PROCEDURES).

THANK YOU FOR YOUR TIME AND ATTENTION TO
THIS MATTER.

Sincerely,

William Jay Hammons

XC: ELIZABETH MCFARLAN
THOMAS CARROLL

W/ATTACHMENTS : ORDER DATED 12-2-05
ORDER DATED 1-19-06

10

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|-------------------------|---|-----------------------------|
| WILLIAM JAY HAMMONS, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Civil Action No. 05-718-KAJ |
| |) | |
| |) | |
| THOMAS L. CARROLL, |) | |
| Warden, and M. JANE |) | |
| BRADY, ATTORNEY GENERAL |) | |
| FOR THE STATE OF |) | |
| DELAWARE, |) | |
| |) | |
| Respondents. |) | |

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2005 DEC -2 PM 4:39

ORDER

At Wilmington this 2nd day of December, 2005, the petition of William Jay Hammons for a Writ of Habeas Corpus having been reviewed pursuant to Rule 4, 28 U.S.C. foll. § 2254;

IT IS HEREBY ORDERED that:

1. Pursuant to Rules 3(b) and 4, 28 U.S.C. foll. § 2254, the clerk shall forthwith serve by certified mail a copy of the petition, (D.I. 1), the order dated October 21, 2005, (D.I. 6), the AEDPA election form, (D.I. 9), and this order upon: (1) the above-named Warden of the facility in which petitioner is housed; and (2) the Attorney General of the State of Delaware.

2. Within **forty-five (45) days of service** of the petition and this order, in accordance with Rule 5, 28 U.S.C. foll. § 2254, respondents shall:

a. State whether the petitioner has exhausted his state

remedies including any post-conviction remedies available to him under the statutes or procedural rules of the State and including also his right of appeal both from the judgment of conviction and from any adverse judgment or order in the post-conviction proceeding;

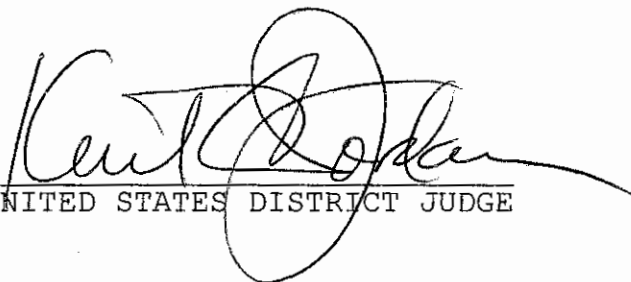
b. State whether any claim in the petition is barred by a procedural bar, non-retroactivity, or the statute of limitations;

c. Respond to the allegations of the petition;

d. Indicate what transcripts (of pretrial, trial, sentencing, and post-conviction proceedings) are available, when they can be furnished, and also what proceedings have been recorded and not transcribed;

e. Attach to the answer certified copies of such portions of the transcripts as may be material to the questions raised in the petition, as well as certified copies of the petitioner's brief(s) on appeal (direct and/or post-conviction) and of the opinion(s) of the appellate court, if any.

3. The clerk shall mail a copy of this order forthwith to the petitioner.


UNITED STATES DISTRICT JUDGE

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WILLIAM J. HAMMONS,

Petitioner,

v.

Civ. Act. No. 05-718-KAJ

THOMAS L. CARROLL,

Warden, and **CARL C. DANBERG,**

Attorney General for the State of Delaware,

Respondents.

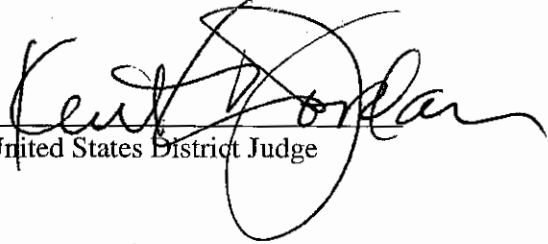
ORDER

This 19th day of Jan., 2006,

WHEREAS, respondents having requested an extension of time in which to file an answer, and

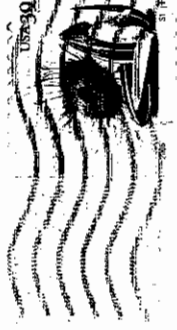
WHEREAS, it appearing to the Court that the requested extension is timely made and good cause has been shown for the extension,

IT IS HEREBY ORDERED that respondents' answer shall be filed on or before February 10, 2006.


United States District Judge

IM William J. Hammons
SBI# 166139 UNIT D-E
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

WILMINGTON DE 197
15 MAR 2007PM 3 L



Clerk of The Court
United States District Court
824 King St.
Wilmington, DE. 19801

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